

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA, ) 2:04-CR-00074-PMP-LRL  
Plaintiff, )  
vs. )  
DEMARCUS BURSE, )  
Defendant. )

On July 29, 2011, Defendant Demarcus Burse, filed a Motion for Clarification and/or Amended Judgment of Conviction (Doc. #376). On August 23, 2011, the Court ordered Plaintiff United States to file a response to Defendant's Motion (Doc. #377) on or before September 14, 2011. Plaintiff United States has failed to comply with the Court's Order and in accord with the Local Rules of Practice of this Court, therefore consents to the granting of the relief requested by Defendant Burse.

Additionally, having reviewed Defendant Burse's Motion and the transcript of sentencing proceedings which occurred on July 28, 2006, it appears that Defendant Burse is entitled to the relief requested on the merits of his motion.

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1           **IT IS THEREFORE ORDERED** that Defendant Demarcus Burse's,  
2 Motion for Clarification and/or Amended Judgment of Conviction (Doc. #376) is  
3 **GRANTED.**

4           **IT IS FURTHER ORDERED** that the Clerk of Court shall forthwith  
5 AMEND the Judgment in this case (Doc. #289) to reflect clearly that the Sentence  
6 imposed in this case, is, was, to run concurrent with Defendant's State Court  
7 Sentence in State of Nevada vs. Demarcus Burse, case number 05C210571.

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9 DATED: September 16, 2011.

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12 PHILIP M. PRO  
13           United States District Judge

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